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March 21, 2013

VIA ECF and REGULAR MAIL  
Honorable Joanna Seybert  
United States District Judge  
United States District Court for the  
Eastern District of New York  
P.O. Box 9014  
100 Federal Plaza  
Central Islip, New York 11722-9014

Re: *United States v. Nassau County, et al.*  
Civil Action No. 77 CV 1881

Honorable Madam:

Please allow this correspondence to serve as a request to extend the Nassau County Police Officer List No. 7000 ("Current List"), which expires March 31, 2013, for six (6) months, or the date on which a new eligible list is established, whichever event occurs first. Please be advised that Tatum J. Fox, Attorney for Nassau County Police Department, has noticed AUSA Clare Geller from the Department of Justice, Seth Greenberg, counsel to the Police Benevolent Association, Hanan Kolko, counsel to the Superior Officers Association, and Detective Glenn Ciccone, President of the Detectives Association, of this application. Ms. Fox has spoken with all parties, except the Detectives Association, and advised that I may represent that they do not take a position to the County's application for this extension. No prior requests for an extension to this list have been made.

An entrance examination was prepared by AON Consulting and was administered in December 2012. The results of the examination are currently undergoing validation review by AON. While the Department had been running on schedule to have a list in place in advance of the expiration of the Current List, unfortunately and tragically, the actual day AON was on site to complete a phase of the validation process, a Police Officer was murdered in the line of duty. Accordingly, the meeting was cancelled.

The rescheduled meeting date was set for what turned out to be during Super Storm Sandy. Due to these unforeseeable events, the rescheduling of these meetings was temporarily put

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on hold while the Department attended to the needs of the community. Once the aftermath of the Storm subsided, we resumed the validation process, and anticipate the validation review being completed by AON in May. Thereafter the results will be sent to the Department of Justice for their review. Once review is complete, the results will be sent to the Nassau County Civil Service Commission for certification ("New List").

The County and AON have been in constant contact with the Department of Justice thus far, and have provided them with portions of the results of the validation review as they become available. However, since the work necessary to establish a New List is not yet complete, the County would be without a list to hire since the Current List expires on March 31, 2013 (established on April 1, 2009, from Police Officer List No. 3000).

For this reason, as a public safety measure, the County submits that it would be at risk and in a vulnerable position as of March 31, 2013 if it does not have a List upon which to hire. The Department is faced with attrition issues resulting in the decrease in the number of its sworn members as a result of separation from service. Therefore, it is imperative that the Department be in a position to be able to maintain the number of sworn members. In order to maintain the sworn headcount, the Department anticipates a hiring plan that will result in the hiring of one hundred and fifty (150) recruits by September 2013, as follows: hiring fifty (50) recruits by the end of May, hiring fifty (50) recruits in July, and hiring fifty (50) recruits in September. This goal is subject to the successful completion of background checks, and contingent upon the effects of the wage freeze on the acceptance of the offers of employment. If the Current List expires, the Department will be barred from hiring, which would pose a great risk to maintaining public safety for the residents of Nassau County.

Accordingly, based upon the notice provided to all parties and consistent with the Consent Decree, it is respectfully requested that the Current List be extended for six (6) months, until October 1, 2013, or the date on which a New List is established, whichever occurs first. A proposed Order is attached hereto for your consideration.

Should the Court require any additional information, please contact the undersigned at (516) 571-3076.

Yours, etc.,

John Ciampoli  
County Attorney

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